



**U.S. Department of Justice**

*United States Attorney  
Eastern District of New York*

BDM/TBM  
F. #2021R00164

*271 Cadman Plaza East  
Brooklyn, New York 11201*

June 7, 2024

By ECF

The Honorable Joseph A. Marutollo  
United States Magistrate Judge  
Eastern District of New York  
255 Cadman Plaza East  
Brooklyn, New York 11201

Re: United States v. Shares of 21 East 61st Street Apartment Corp. et al.  
Civil Docket No. 24-2147

Dear Judge Marutollo:

The government respectfully writes pursuant to the Court's Order entered on May 3, 2024, which directed the government to file a status report by June 7, 2024.

On March 25, 2024, the government filed a Verified Complaint In Rem seeking forfeiture of two luxury properties in New York, New York. ECF No. 1. Thereafter, the government issued notice of the forfeiture and commenced publication in accordance with the requirements of 18 U.S.C. § 985(c) and Rule G(4)(b) of the Supplemental Rules for Admiralty or Maritime Claims and Asset Forfeiture Actions. See ECF Nos. 6-8.

On June 3, 2024, a claim was filed on behalf of Lovitas, Inc., Baloas, Inc., and Hak Seon Kim. ECF No. 10. After consulting with counsel of record for the claimants, the government is planning to serve special interrogatories directed to the claimants' standing, which is a threshold issue in all forfeiture proceedings. Supp. R. G(6)(a)-(c) (authorizing government to serve special interrogatories after filing of claim without leave of court and providing that government need not respond to any motion to dismiss until after claimant has answered special interrogatories); see, e.g., United States v. \$8,440,190 in U.S. Currency, 719 F.3d 49, 57 (1st Cir. 2013) ("Standing is a threshold consideration in all cases, including civil forfeiture cases.").

Accordingly, to allow adequate time for the claimants to respond to the government's special interrogatories, and for the government to review responses by the claimants, the parties respectfully request that the Court adjourn the deadline for the claimants to file a responsive pleading until September 2, 2024. The government further requests that it be directed to file a status report with the Court on or before August 16, 2024.

Respectfully submitted,

BREON PEACE  
United States Attorney

By:                     /s/                      
Tara McGrath  
Brian Morris  
Assistant U.S. Attorneys  
(718) 254-7000

MARGARET A. MOESER  
Acting Chief  
Money Laundering & Asset Recovery Section  
Criminal Division, U.S. Department of Justice

Adam J. Schwartz, Deputy Chief  
(Of Counsel)

cc: Clerk of Court (by ECF)  
Counsel of Record (by ECF)